

Serial No. 10/666,650**RECEIVED**
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Docket No. 2877-4031

REMARKS

Claims 4-10, 12-15, and 42 are pending after entry of this paper. Claims 4-10 and 12-15 have been rejected. Applicants reserve the right to pursue cancelled claims in a continuing application.

Claims 4-9 and 12-15 have been amended. Claim 42 has been newly added. Support may be found throughout the instant specification.

No new matter has been introduced by these amendments. Reconsideration and withdrawal of the pending rejections in view of the above claim amendments and below remarks are respectfully requested.

Response to Rejections under 35 U.S.C. §102

Claims 4-10 and 12-15 stand rejected under 35 U.S.C. §102(e) as being anticipated by Wang (U.S. Patent Application Publication No. 2004/0126604). The Examiner has maintained the rejections for the reasons set forth in the September 20, 2006 Office Action. Specifically, the Examiner contends that Wang discloses a glove coated with a composition comprising cetyl pyridinium chloride, polydimethylsiloxane, and an ammonium salt of alkyl phosphate, and that the glove is made of natural rubber, nitrile, and/or polyisoprene. Applicants respectfully disagree that the disclosure of Wang anticipates each and every element recited in the claims. Specifically, applicants assert that Wang neither discloses nor suggests the coating of the outer surface of a glove with the composition recited in claims 4 and 42.

Wang is directed to a therapeutic, moisturizing coating composition for the skin-contacting surface of elastomeric articles (title, abstract, [0009] of Wang). Wang specifically teaches that the moisturizer is applied to the skin-contacting surface in a dry hydratable state ([0011]), and that the appropriate moisturizers include polyhydric alcohols ([0024]). Wang discloses other additives that may be used in the moisturizing coating composition including a hydroxyacid as a skin-exfoliant ([0028]), wet

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donning agents such as cetylpyridinium chloride ([0030]), dry donning agents such as polyalkylsiloxanes ([0031]), pH adjusters such as citric acid ([0033]), anti-tack agents such as silicones ([0034]), hydration promoters such as sodium citrate ([0035]), "anti-aging" compounds ([0036]), and plasticizers ([0037]).

The coating compositions taught by Wang are specifically directed to the skin-contacting surface of the article. The coating compositions are specifically for the purpose of moisturizing skin when the article is worn, and thus specifically contain moisturizers.

Applicants respectfully submit that Wang does not disclose each and every element of claims 4 and 42. Regarding claim 4, applicants submit that Wang neither teaches nor suggests applying the moisturizing coating to the outer surface of a glove. It would be neither practical nor cost-efficient to apply a coating composition intended to moisturize the skin of the wearer to the outer surface of a glove (i.e., the surface of the glove that never contacts the skin of the wearer). Applicants respectfully submit that claim 4 as amended clearly distinguishes the two surfaces of the glove, and requires that the coating be present on the surface that is not the skin-contacting surface. Furthermore, applicants assert that a glove as taught by Wang would be deprived of its utility if worn without contacting the moisturizing surface with the skin. Specifically, the gloves as taught by Wang are for the express purpose of applying a therapeutic moisturizing composition to the skin of the wearer, and as such would not be worn "inside-out."

Regarding claim 42, applicants further assert that the disclosure of Wang does not anticipate each and every element of the claim. Claim 42 recites that the outer surface of the glove is coated with a composition "consisting essentially of a mixture of silicone, ammonium salts of alkyl phosphates, and cetyl pyridinium chloride." The partially closed language of new claim 42 is intended to further clarify the essential elements of the outer surface coating composition recited in the claim. For instance, a moisturizer is an inessential element to the coating as recited in claim 42. As Wang is directed to articles with a moisturizing coating on the skin-contacting surface, Wang requires the moisturizing element in all contemplated embodiments. As such, it is submitted that at least claim 42 does not read on the disclosure of Wang.

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For the foregoing reasons, applicants respectfully request reconsideration and withdrawal of the rejections under 35 U.S.C. §102(e) over Wang.

Response to Rejections under 35 U.S.C. §103

Claims 4-10 and 12-15 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Podell (U.S. Patent No. 4,575,476), optionally in view of Weikel (WO 98/29484) and Cotrell (U.S. Patent No. 6,566,408). The Examiner has maintained the rejections for the reasons set forth in the September 20, 2006 Office Action. Specifically, the Examiner contends that Podell discloses a glove coated with a layer comprising a silicone and a surfactant such as oxyethyl alkyl ammonium phosphate. The Examiner further contends that Podell teaches the use of a surfactant of cetyl pyridinium chloride. The Examiner further contends that Weikel teaches the use of a mixture comprising silicone and 1-hexadecylpyridinium chloride for coating gloves to impart damp donnability, and suggests that oxyethyl alkyl ammonium phosphate also functions to improve damp donnability, so it would have been obvious to use a mixture. Applicants respectfully disagree, for the reasons set forth below.

As described in the Amendment filed January 22, 2007, Podell is directed to a skin-contacting layer formed from a hydrogel treated with surfactants. More specifically, Podell teaches "a flexible rubber article having bonded thereto a layer providing a skin-contacting surface of the article, said layer being formed from a hydrogel polymer." (col. 1, lines 59-60 of Podell, emphasis added) Podell teaches that the hydrogel polymer layer is preferably cross-linked (col. 2, lines 54-55). Podell further discloses that the hydrogel polymer layer "may be surface treated with a physiologically acceptable surfactant or long chain fatty amine to enhance the lubricity of the later with respect to damp skin" (col. 2, lines 58-60). Podell discloses the use of surfactants such as cetyl pyridinium chloride (col. 3, line 20) and oxyethyl alkyl ammonium phosphate (Table 7), but neither discloses nor suggests using multiple surfactants in admixture. Furthermore, Podell specifically discloses using a silicone liquid to

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reduce surface tack "on any surfaces not coated with a layer formed from the hydrogel polymer" (col. 3, lines 50-53, emphasis added).

Applicants contend that Podell alone or in combination with Weikel and/or Cotrell neither teaches nor suggests each and every element of claims 4 and 42. In the first instance, the coating composition of Podell does not include all of the elements of the claimed coating composition. Specifically, Podell teaches the use of only a surfactant (such as cetyl pyridinium chloride or alkyl ammonium phosphate), and specifically teaches away from the use of silicone in admixture with the surfactant (see col. 3, lines 50-53). Furthermore, Podell neither teaches nor suggests using multiple surfactants in admixture as required by claims 4 and 42. Still further, the coating as taught by Podell is specifically directed to a skin-contacting surface, whereas claims 4 and 42 require that the coating be on the outer surface that does not contact the skin of the wearer. Finally, the coating as taught by Podell is specifically applied to a surface made of a hydrogel, which is a copolymer of 2-hydroxyethyl methacrylate with either methacrylic acid and/or 2-ethylhexyl acrylate (col. 1, lines 61-67). Podell does not teach applying the coating in direct contact with the surface of the elastomeric material as recited in claims 4 and 42.

Furthermore, the Examiner has combined the teachings of Weikel and/or Cotrell with Podell. Applicants respectfully submit that neither Weikel nor Cotrell remedy the deficiencies of Podell as described above. Weikel is directed to slip-coated elastomeric articles, wherein the elastomeric material is first coated with a "crosslinked polymer" coating which is bonded to the surface of the elastomeric material, and the polymer coating is then further coated with a lubricant composition (page 4, lines 19-27). Weikel does not teach the use of alkyl ammonium phosphates, nor does Weikel teach the lubricant composition in direct contact with the surface of the elastomeric article as recited in claims 4 and 42. Cotrell is as described in the January 22, 2007 Amendment. Cotrell does not teach an elastomeric article.

Podell does not teach the direct coating of the non-skin-contacting outer surface of a glove with a composition comprising each of silicone, ammonium salts of alkyl phosphates, and cetyl

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pyridinium chloride. Neither Weikel nor Cotrell remedy this deficiency. Furthermore, as described above, Podell teaches away from the inclusion of silicone in a coating composition with cationic surfactants such as cetyl pyridinium chloride.

It is further submitted that claim 42 is patentable over Podell for at least the reasons above and further because claim 42 recites that the outer surface of the glove is coated with a composition "consisting essentially of a mixture of silicone, ammonium salts of alkyl phosphates, and cetyl pyridinium chloride." The partially closed language of new claim 42 is intended to further clarify the essential elements of the outer surface coating composition recited in the claim. For instance, a hydrogel base is an inessential element to the coating as recited in claim 42. As Podell is directed to articles with a hydrogel coating on the skin-contacting surface, Podell requires the hydrogel element in all contemplated embodiments.

For the reasons set forth above, applicants respectfully request reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) over Podell in view of Weikel and Cotrell.

Dependent Claims

The applicants have not independently addressed all of the rejections of the dependent claims. The applicants submit that for at least similar reasons as to why independent claims 4 from which all of the dependent claims 5-10 and 12-15 depend are believed allowable as discussed supra, the dependent claims are also allowable. The applicants however, reserve the right to address any individual rejections of the dependent claims and present independent bases for allowance for the dependent claims should such be necessary or appropriate.

Applicants respectfully submit that the invention as recited in the claims as presented herein is allowable over the art of record, and respectfully request that the respective rejections be withdrawn.

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AUG 20 2007CONCLUSION

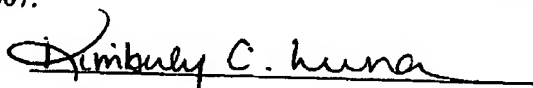
Based on the foregoing amendments and remarks, applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application. In the event that a telephone conference would facilitate examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided. Favorable action by the Examiner is earnestly solicited.

Respectfully submitted,

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CERTIFICATE OF TRANSMISSION UNDER 37. C.F.R. 1.8

The undersigned certifies that a true and accurate copy of this "Response to Non-Final Office Action" is being transmitted to the Honorable Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450, by facsimile transmission to the above-stated facsimile number, on this the 20th day of August, 2007.



Kimberly C. Luna